

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – APRIL 8, 2008

-1-

THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, APRIL 8, 2008, AT 6:32 P.M., IN THE COUNCIL CHAMBERS WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER BY MAYOR NORDFELT.

THE FOLLOWING MEMBERS WERE PRESENT:

Dennis J. Nordfelt
Russ Brooks
Carolynn Burt
Joel Coleman
Corey Rushton
Steve Vincent
Mike Winder

Layne Morris, Acting City Manager
Sheri McKendrick, City Recorder

STAFF PRESENT:

John Evans, Fire Chief
Joseph Moore, CED Director
Buzz Nielsen, Police Chief
Kevin Astill, Parks and Recreation Director
Russell Willardson, Public Works Director
Nicole Cottle, Acting City Attorney
Jake Arslanian, Public Works Department

14003 OPENING CEREMONY

The Opening Ceremony was conducted by Joel Coleman who led the Pledge of Allegiance to the Flag.

14004 COMMENT PERIOD

Upon inquiry by Mayor Nordfelt, there was no one in attendance who desired to address the City Council during the Comment Period.

14005 PUBLIC HEARING, RECEIVE INPUT FROM THE PUBLIC REGARDING A PROPOSED PLEDGE OF CERTAIN OF THE CITY'S SALES AND USE TAX REVENUES

Acting City Manager, Layne Morris, stated a public hearing had been advertised for the Regular Council Meeting scheduled April 8, 2008, at 6:30 P.M., in order for the City Council to receive input from the public regarding a proposed pledge

DRAFT

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – APRIL 8, 2008

-2-

of certain of the City's sales and use tax revenues. He discussed proposed Resolution No. 08-107 to be considered by the City Council subsequent to the public hearing, as follows:

RESOLUTION NO. 08-107, AUTHORIZING AND APPROVING A PLEDGE OF ITS SALES TAX REVENUES; AUTHORIZING THE EXECUTION BY THE CITY OF AN AMENDED AND RESTATED PLEDGE AND LOAN AGREEMENT AND ANY OTHER DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AUTHORIZING AND APPROVING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION; PROVIDING A SEVERABILITY CLAUSE; REPEALING RESOLUTIONS IN CONFLICT; PROVIDING AN EFFECTIVE DATE; AND RELATED MATTERS

Acting City Manager, Layne Morris, presented proposed Resolution No. 08-107 which would authorize and approve a pledge of its sales tax revenues; authorize the execution by the City of an amended and Restated Pledge and Loan Agreement and any other documents required in connection therewith; authorize and approve the taking of all other actions necessary to the consummation of the transactions contemplated by this resolution; provide a severability clause; repeal resolutions in conflict; provide an effective date; and related matters.

Mayor Nordfelt, upon inquiry, determined there was no one in attendance who desired to address the City Council regarding this matter.

Mayor Nordfelt explained the public hearing needed to be re-advertised as the Notice of Public Hearing to Consider Pledging Excise Tax Revenues contained an inadvertent error. He stated in order to comply with legal requirements, the Notice would be republished and a new public hearing date set for April 22, 2008, at 6:30 P.M. Mayor Nordfelt called for a motion.

After discussion, Councilmember Vincent moved to re-advertise and hold a new public hearing on April 22, 2008, at 6:30 P.M. regarding proposed Resolution No. 08-107, and receive input from the public for a proposed pledge of certain of the City's sales and use tax revenues. Councilmember Coleman seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes

DRAFT

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – APRIL 8, 2008

-3-

Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

Mayor Nordfelt stated a public hearing would be held on April 22, 2008, at 6:30 P.M. regarding this issue.

14006

RESOLUTION NO. 08-108, APPROVE PURCHASE OF A 2008 FORD F550 CAB AND CHASSIS FROM KEN GARFF FORD FOR USE BY THE OPERATIONS DIVISION OF THE PUBLIC WORKS DEPARTMENT

Acting City Manager, Layne Morris, presented proposed Resolution No. 08-108 which would approve purchase of a 2008 Ford F550 cab and chassis from Ken Garff Ford in an amount not to exceed \$30,000.00 for use by the Operations Division of the Public Works Department.

Mr. Morris stated Ken Garff held the State contract to supply the subject vehicle that met the Department's needs. He indicated the Fleet Manager and Department Head had determined the vehicle would be the most efficient vehicle for the intended purpose. He stated the truck would be used to implement a new program of cleaning sidewalks and stamped concrete park strips. He stated additional equipment and personnel would be added to implement the new program. He reported the truck would be equipped with a pressure washer to clean concrete surfaces. Stamped concrete would be resealed to preserve its attractiveness. A skid-steer loader and trailer, with broom and plow attachments, would also be purchased for sidewalk sweeping and winter snow removal. He further reported the total capital cost for all new equipment would be approximately \$60,000.00; one new full-time employee and supplies would also add an additional \$45,500.00 to the annual operating budget.

After discussion, Councilmember Coleman moved to approve Resolution No. 08-108, a Resolution Approving the Purchase of a 2008 Ford F550 Cab and Chassis from Ken Garff Ford for use by the Operations Division of the Public Works Department. Councilmember Winder seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes

DRAFT

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – APRIL 8, 2008

-4-

Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14007

RESOLUTION NO. 08-122, APPROVE CONSENT TO ASSIGNMENT AND ESTOPPEL AGREEMENT WITH ARGENT 201, LLC, AND US BANK NATIONAL ASSOCIATION TO FACILITATE DEVELOPMENT IN THE NORTH CENTRAL ECONOMIC DEVELOPMENT PROJECT AREA

Acting City Manager, Layne Morris, presented proposed Resolution No. 08-122 which would approve a Consent to Assignment and Estoppel Agreement with Argent 201, LLC, and US Bank National Association to facilitate development in the North Central Economic Development Project Area.

Mr. Morris stated that as part of its financing arrangement with US Bank, Argent, LLC, had requested the Redevelopment Agency and the City consent to the assignment of certain rights and duties set forth in the Agreement for Disposition of Land for Private Development (ADL) between the City, the Agency, and Argent 201. He indicated by approving the Consent and Estoppel Agreement, the City agreed if Argent 201 should default on its financing agreements with US Bank, then US Bank could take over Argent 201's obligations and have the right to exercise the option to purchase City property. He indicated this was part of the security for the financing and would help facilitate development of the property.

The Acting City Manager further informed the North Central Economic Development Project Area had been adopted through West Valley City Ordinance No. 08-06, dated January 22, 2008. He indicated it encompassed several large properties located north of Stonebridge Golf Course. He stated it was Argent's intent to build a business center within the Project Area that would contain approximately 27-30 buildings and approximately 1.5 million square feet of space at full build out.

After discussion, Councilmember Burt moved to approve Resolution No. 08-122, a Resolution Approving a Consent to Assignment and Estoppel Agreement with Argent 201, LLC, and US Bank National Association to Facilitate Development in the North Central Economic Development Project Area. Councilmember Brooks seconded the motion.

DRAFT

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – APRIL 8, 2008

-5-

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14008

CONSENT AGENDA:

- A. **RESOLUTION NO. 08-109, ACCEPT GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM CESAR H. MARTINEZ AND HAYDEE MARTINEZ FOR PROPERTY LOCATED AT 3987 SOUTH 3600 WEST, 3600 WEST RECONSTRUCTION PHASE 2**
Acting City Manager, Layne Morris, presented proposed Resolution No. 08-109 which would accept a Grant of Temporary Construction Easement from Cesar H. Martinez and Haydee Martinez for property located at 3987 South 3600 West regarding the 3600 West Reconstruction Phase 2 Project.

Mr. Morris stated Cesar H. Martinez and Haydee Martinez had signed the Grant of Temporary Construction Easement.

The Acting City Manager reported the subject parcel was one of the properties affected by construction of 3600 West from 3500 South to 4100 South. He stated compensation for the easement would be in the amount of \$200.00, which easement would automatically expire December 31, 2008.

- B. **RESOLUTION NO. 08-110, ACCEPT GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM TEJINDER SINGH FOR PROPERTY LOCATED AT 3824 SOUTH 3600 WEST, 3600 WEST RECONSTRUCTION PHASE 2 PROJECT**
Acting City Manager, Layne Morris, presented proposed Resolution No. 08-110 which would accept a Grant of Temporary Construction Easement from Tejinder Singh for property located at 3824 South 3600 West regarding the 3600 West Reconstruction Phase 2 Project.

DRAFT

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – APRIL 8, 2008

-6-

Mr. Morris stated Tejinder Singh had signed the Grant of Temporary Construction Easement.

The Acting City Manager reported the subject parcel was one of the properties affected by construction of 3600 West from 3500 South to 4100 South. He stated compensation for the easement would be in the amount of \$200.00, which easement would automatically expire December 31, 2008.

C. RESOLUTION NO. 08-111, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF DON CHRISTENSEN AS A MEMBER AND CHAIR OF THE WEST VALLEY CITY SISTER CITY COMMITTEE, TERM: JANUARY 1, 2008 – DECEMBER 31, 2008

Acting City Manager, Layne Morris, presented proposed Resolution No. 08-111 which would ratify the City Manager's reappointment of Don Christensen as a member and Chair of the West Valley City Sister City Committee for the term January 1, 2008, through December 31, 2008.

D. RESOLUTION NO. 08-112, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF TERENCE CHEN AS A MEMBER OF THE WEST VALLEY CITY SISTER CITY COMMITTEE, TERM: JANUARY 1, 2008 – DECEMBER 31, 2008

Acting City Manager, Layne Morris, presented proposed Resolution No. 08-112 which would ratify the City Manager's reappointment of Terence Chen as a member of the West Valley City Sister City Committee for the term January 1, 2008, through December 31, 2008.

E. RESOLUTION NO. 08-113, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF KEVIN CONDE' AS A MEMBER OF THE WEST VALLEY CITY SISTER CITY COMMITTEE, TERM: JANUARY 1, 2008 – DECEMBER 31, 2008

Acting City Manager, Layne Morris, presented proposed Resolution No. 08-113 which would ratify the City Manager's reappointment of Kevin Conde' as a member of the West Valley City Sister City Committee for the term January 1, 2008, through December 31, 2008.

F. RESOLUTION NO. 08-114, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF CATHY JENN AS A MEMBER OF THE WEST VALLEY CIT SISTER CITY COMMITTEE, TERM: JANUARY 1, 2008 – DECEMBER 31, 2008

Acting City Manager, Layne Morris, presented proposed Resolution No. 08-114 which would ratify the City Manager's reappointment of Cathy

DRAFT

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – APRIL 8, 2008

-7-

Jenn as a member of the West Valley City Sister City Committee for the term January 1, 2008, through December 31, 2008.

G. RESOLUTION NO. 08-115, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF JOSEPH MOORE AS A MEMBER OF THE WEST VALLEY CITY SISTER CITY COMMITTEE, TERM: JANUARY 1, 2008 – DECEMBER 31, 2008

Acting City Manager, Layne Morris, presented proposed Resolution No. 08-115 which would ratify the City Manager's reappointment of Joseph Moore as a member of the West Valley City Sister City Committee for the term January 1, 2008, through December 31, 2008.

H. RESOLUTION NO. 08-116, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF PAUL MAKI AS A MEMBER OF THE WEST VALLEY CITY SISTER CITY COMMITTEE, TERM: JANUARY 1, 2008 – DECEMBER 31, 2008

Acting City Manager, Layne Morris, presented proposed Resolution No. 08-116 which would ratify the City Manager's reappointment of Paul Maki as a member of the West Valley City Sister City Committee for the term January 1, 2008, through December 31, 2008.

I. RESOLUTION NO. 08-117, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF KATHY NELSON AS A MEMBER OF THE WEST VALLEY CITY SISTER CITY COMMITTEE, TERM: JANUARY 1, 2008 – DECEMBER 31, 2008

Acting City Manager, Layne Morris, presented proposed Resolution No. 08-117 which would ratify the City Manager's reappointment of Kathy Nelson as a member of the West Valley City Sister City Committee for the term January 1, 2008, through December 31, 2008.

J. RESOLUTION NO. 08-118, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF LAWAYNE REEVE AS A MEMBER OF THE WEST VALLEY CITY SISTER CITY COMMITTEE, TERM: JANUARY 1, 2008 – DECEMBER 31, 2008

Acting City Manager, Layne Morris, presented proposed Resolution No. 08-118 which would ratify the City Manager's reappointment of Lawayne Reeve as a member of the West Valley City Sister City Committee for the term January 1, 2008, through December 31, 2008.

DRAFT

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – APRIL 8, 2008

-8-

K. RESOLUTION NO. 08-119, RATIFY THE CITY MANAGER’S REAPPOINTMENT OF KEITH SADLER AS A MEMBER OF THE WEST VALLEY CITY SISTER CITY COMMITTEE, TERM: JANUARY 1, 2008 – DECEMBER 31, 2008

Acting City Manager, Layne the City Manager’s reappointment of Keith Sadler as a member of the West Valley City Sister City Committee for the term January 1, 2008, through December 31, 2008.

L. RESOLUTION NO. 08-120, RATIFY THE CITY MANAGER’S REAPPOINTMENT OF LILA WRIGHT AS A MEMBER OF THE WEST VALLEY CITY SISTER CITY COMMITTEE, TERM: JANUARY 1, 2008 – DECEMBER 31, 2008

Acting City Manager, Layne Morris, presented proposed Resolution No. 08-120 which would ratify the City Manager’s reappointment of Lila Wright as a member of the West Valley City Sister City Committee for the term January 1, 2008, through December 31, 2008.

M. RESOLUTION NO. 08-121, RATIFY THE CITY MANAGER’S APPOINTMENT OF MARILYN LAUGHLIN AS A MEMBER OF THE WEST VALLEY CITY SISTER CITY COMMITTEE, TERM: JANUARY 1, 2008 – DECEMBER 31, 2008

Acting City Manager, Layne Morris, presented proposed Resolution No. 08-121 which would ratify the City Manager’s appointment of Marilyn Laughlin as a member of the West Valley City Sister City Committee for the term January 1, 2008, through December 31, 2008.

After discussion, Councilmember Rushton moved to approve Resolution Nos. 08-109, 08-110, 08-111, 08-112, 08-113, 08-114, 08-115, 08-116, 08-117, 08-118, 08-119, 08-120, and 08-121 as presented on the Consent Agenda. Councilmember Coleman seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

DRAFT

DRAFT

MINUTES OF COUNCIL REGULAR MEETING – APRIL 8, 2008

-9-

Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE REGULAR MEETING OF TUESDAY, APRIL 8, 2008, WAS ADJOURNED AT 6:37 P.M., BY MAYOR NORDFELT.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Regular Meeting of the West Valley City Council held Tuesday, April 8, 2008.

Sheri McKendrick, MMC
City Recorder

DRAFT